



General Assembly

February Session, 2010

***Raised Bill No. 218***

LCO No. 1238

\*01238\_\_\_\_\_HS\_\*

Referred to Committee on Human Services

Introduced by:  
(HS)

***AN ACT CONCERNING SAFE HAVEN CASES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-59 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2010*):

3 (a) Not more than twenty-four hours after taking physical custody  
4 of the infant the [designated employee] employee designated pursuant  
5 to section 17a-57 shall notify, in accordance with the provisions of  
6 sections 17a-101a to 17a-101d, inclusive, the Department of Children  
7 and Families of such custody.

8 (b) The Commissioner of Children and Families shall assume the  
9 care and control of the infant immediately upon receipt of notice under  
10 subsection (a) of this section. [and] Any infant in the care and control  
11 of the commissioner under the provisions of this section shall be  
12 considered to be in the custody of the department and the department  
13 shall take any action authorized under state law to achieve safety and  
14 permanency for the infant, including institution of legal proceedings  
15 for guardianship or termination of parental rights. The department  
16 shall provide notification of such legal proceedings to any parent of an

17 infant whose identity is known to the department.

18 [(c) Any infant in the care and control of the commissioner under  
19 the provisions of this section shall be considered to be in the custody of  
20 the department.]

21 Sec. 2. Section 17a-60 of the general statutes is repealed and the  
22 following is substituted in lieu thereof (*Effective July 1, 2010*):

23 (a) If a person claiming to be a parent or agent of an infant left with  
24 a designated employee under section 17a-58, as amended by this act,  
25 submits a request to the Commissioner of Children and Families for  
26 reunification with the infant, the commissioner may identify, contact  
27 and investigate such person or agent to determine if such reunification  
28 is appropriate or if the parental rights of the parent should be  
29 terminated.

30 (b) Information concerning a parent or agent, ~~or an~~ infant left with a  
31 designated employee, shall [be confidential] not be disclosed by the  
32 designated employee, if so requested by the parent or agent, except  
33 that notwithstanding any provision of the general statutes, such  
34 employee shall provide to the Commissioner of Children and Families  
35 all medical history information provided by the parent.

36 (c) Possession of a bracelet linking the parent or agent to an infant  
37 left with a designated employee if parental rights have not been  
38 terminated creates a presumption the parent or [person] agent has  
39 standing to participate in a custody hearing for the infant under  
40 chapter 319a [and] but does not create a presumption of maternity,  
41 paternity or custody.

42 Sec. 3. Section 17a-58 of the general statutes is repealed and the  
43 following is substituted in lieu thereof (*Effective July 1, 2010*):

44 (a) An employee designated pursuant to section 17a-57 shall take  
45 physical custody of any infant thirty days or younger if the parent or  
46 lawful agent of the parent voluntarily surrenders physical custody of

47 the infant to such designated employee unless the parent or agent  
48 clearly expresses an intent to return for the infant.

49 (b) If the mother of an infant wishes to voluntarily surrender  
50 physical custody of the infant while the mother is in the hospital to  
51 give birth to the infant, the mother shall provide notice that she wishes  
52 to surrender physical custody of the infant, in writing, on a form  
53 prescribed by the Commissioner of Children and Families, and deliver  
54 such notice to any hospital employee. Upon receipt of such notice, the  
55 hospital employee shall notify the designated employee pursuant to  
56 section 17a-57, who shall immediately take physical custody of the  
57 infant.

58 [(b)] (c) The designated employee may request the parent or agent  
59 to provide the name of the parent or agent and information on the  
60 medical history of the infant and parents. The parent or agent is not  
61 required to provide such name or information. The designated  
62 employee may provide the parent or agent with a numbered  
63 identification bracelet to link the parent or agent to the infant. The  
64 bracelet shall be used for identification only and shall not be construed  
65 to authorize the person who possesses the bracelet to take custody of  
66 the infant on demand. The designated employee shall provide the  
67 parent or agent with a pamphlet describing the process established  
68 under sections 17a-57 to 17a-61, inclusive, as amended by this act, 53-  
69 21 and 53-23.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2010</i>	17a-59
Sec. 2	<i>July 1, 2010</i>	17a-60
Sec. 3	<i>July 1, 2010</i>	17a-58

***Statement of Purpose:***

To clarify the Department of Children and Families' role and responsibility in safe haven cases and to specify a safe haven procedure when the mother is in the hospital.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*